

EXHIBIT H

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11 Jessica Costa

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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

JESSICA COSTA,

PLAINTIFF,

V.

**NATIONAL ACTION
FINANCIAL SERVICES AND
DEFENDANT ELIZABETH
DOE,**

DEFENDANTS.

CASE NO.: 05-2084 FCD KJM

**DECLARATION OF ROBERT
STEMPLER IN SUPPORT OF
PLAINTIFF'S REQUEST FOR
APPROVAL OF ATTORNEYS FEES**

HON. FRANK C. DAMRELL JR.

I, Robert Stempler, declare:

1. I am an attorney licensed to practice before all California courts and admitted to practice before the federal courts in the Central District of California. I am submitting this declaration at the request of Joshua B. Swigart in support of his request for attorney's fees, as allowed under both state and federal law. If called as a witness, I could and would testify to the matters herein from personal knowledge.

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1 2. I am the principle for the Consumer & Tax Law Office of Robert Stempler,
2 APLC. I am a practicing attorney in the area of consumer rights litigation
3 and have been admitted to practice for just over fifteen years.

4 3. In my capacity as an attorney in a number of individual actions, I have had
5 the opportunity to see the fees charged by other counsel in those cases. I
6 am informed that Joshua B. Swigart and Robert L. Hyde are billing at a rate
7 of \$315 for their services in this case and asking for an award of fees based
8 upon that hourly rate. Based upon my experience, those hourly rates are
9 reasonable and consistent with the rates charged by attorney's with similar
10 expertise in the Southern California legal community.

11 4. My billing rate is now 350 per hour.

12 5. I have worked with both Joshua B. Swigart and Robert L. Hyde on other
13 matters, am aware of their work product, and believe their hourly rate of
14 \$315 per hour to be well justified.

15 I declare under the penalty of perjury under the laws of the United States
16 that the foregoing statements are true and correct.

17 Executed on February 27, 2008

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20 Robert Stempler